IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

FRIDAY, THE 10TH AUGUST 2007 / 19TH SRAVANA 1929

Tr.P(C).No. 177 of 2007()

OP.710/2007 of FAMILY COURT,THIRUVANANATHAPURAM TO FAMILY COURT, NEDUMANGAD

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PETITIONER:

MANJU S.NAIR, AGED 32 YEARS,
D/O.SUNDARESAN NAIR, ANJALI, PKRA - 64
T.C.3/2394/1, MARAPPALAM ROAD, PATTOM P.O.,
THIRUVANANTHAPURAM.

BY ADV. SRI.J.JAYAKUMAR

RESPONDENT:

VINEED T.,
AGED 33 YEARS, S/O.C.P.THANKAPPAN,
HOUSE NO.07, KSHB FLATS, PTP NAGAR,
THIRUVANANTHAPURAM.

BY

THIS TRANSFER PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 10/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

M.N.KRISHNAN, J.

Tr.P.C.No. 177 OF 2007

Dated this the 10th August, 2007.

JUDGMENT

This transfer petition is filed requesting the court to transfer O.P.710/07 filed by the husband before the Family Court for recovery of the amount to the Family Court at Nedumangad where O.P.641/07, 642/07, 749/07 and 799/07 are pending. The transfer petitioner has moved a petition for divorce, a petition for custody of the child and a petition for return of the amount and the husband has filed one petition for custody of the child and another petition for return of the amount. Admittedly four cases are pending before the Family Court, Nedumangad and the more serious case viz., the petition for divorce is also pending before the said court. The wife is a resident within the jurisdiction of the Family Court, Nedumangad and as per the amended Hindu Marriage Act jurisdiction is given to that court where the wife resides as well. The distance between Nedumangad and Thiruvananthapuram is also not that much and it is desirable these matrimonial disputes are decided by one and the same court. Therefore, interest of justice demands transfer of O.P.710/07 pending before the Family Court, Thiruvananthapuram to the Family Court, Nedumangad as prayed for, for consideration and disposal. Since I am

disposing of the matter at the admission stage without notice to the husband, the Family Court, Thiruvananthapuram is directed to intimate the petitioner in O.P.710/07 regarding the transfer. Transfer petition is disposed of accordingly.

M.N.KRISHNAN
Judge

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